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Convention on the Rights of the Child

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Committee on the Rights of the Child
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Item 4 of the provisional agenda
Consideration of reports of States parties

List of issues in relation to the report submitted by Vanuatu under article 8 (1) of the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict

Addendum

Replies of Vanuatu to the list of issues*

[Date received: 9 August 2017]

* The present document is being issued without formal editing.

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Please recycle

1. Please provide information on any steps taken to incorporate the provisions of the Optional Protocol into the domestic law. Please also inform the Committee if the Optional Protocol has been invoked before the courts in the last four years

1. There is no law current domestic law that specifically incorporate the provisions of the Optional Protocol. The Protocol came into force under the laws of Vanuatu in 2007 after Parliament ratified it in 2006 under the *Optional Protocol to the Convention on the Right of the Child on the involvement of children in arm conflict (Ratification) Act No.26 of 2006*. Following Article 26 of the Constitution. The Protocol have a binding effect as part of the laws of Vanuatu, application by the Courts when there is no express domestic law in regards to the purpose of the Optional Protocol.

2. There is no invocation of the protocol by the Courts for the last 3 years.

2. Please provide information on any measures taken by the State party to disseminate the Optional Protocol and implement awareness-raising programmes. Please also provide information on training activities related to the Optional Protocol for children and professionals working for and with children

3. There is no measure taken by the Government agencies in specifically to disseminating the Optional Protocols and implementation awareness raising programmes. Government determination to proceed with awareness if there is no much affiliation of the Courts and Vanuatu Police Department in regards to the Article of Protocols.

3. Please provide information on the measures taken to address the lack of disaggregated data collection system in the State Party

National Child Protection Policy 2016-2026

4. This Policy recognizes that establishing a centralized data base for receiving, analysing and generating data on child protection is critical to identifying prevalence, trends, priorities and informing programming and advocacy strategies.

5. Policy Objectives-Effective coordination and collaboration among Provincial Child Protection Working Group stakeholders; Provincial level co-ordination structure for formal/informal service providers establishes its working modalities; Strengthen systems for reintegration of child survivors; Strengthen systems for the reintegration of child offenders who are diverted back to the community; Formalize the engagement of VCC with MJCS to strengthen overall co-ordination of child protection activities; Strengthen engagement of council of chiefs and chiefs at community level in protection of children along the continuum of care; To establish a system to collect child protection data (child abuse prevalence and trends) from service providers; Establish a dedicated free hotline for children; Development of a centralized data base to collect and analyse child abuse prevalence, trends, good practice.

6. The monitoring and evaluation framework of the policy provide the assessment of progressiveness of this objectives through the part take of Government stakeholder as leading agencies in the implementation.

4. In view of the fact that not all children are in possession of a birth certificate, please explain what safeguards and practical measures for age verification are in place to prevent children from joining the police force before the age of 18

7. Vanuatu Police Training College provides basic policing to police recruits with seven modules. The academic training is followed by physical training. The minimum age of entry in the Police Force is 18 years and above but not more than 30 years of age.

8. The measure taken by the Government in ensuring that recruitment are under the stipulated age of 18-30years old is the independent provision of birth certificate by the Department of Civil Registry to the Vanuatu Police College. The Civil Registry provide the Birth Certificate to the Police College in the last recruitment 3 years ago.

5. Please advise whether the State party intends to criminalise the recruitment of children under 18 years old by non-State armed groups in accordance with article 4 of the Optional Protocol

9. There is no criminalising of recruitment of children under 18 years by non- state armed group. Procedures now adopted by the Civil Registry and Vanuatu Police College in term of recruitment will be applicable to all possible non-State armed groups in the near future.

6. Please provide information on whether the State Party establishes and exercises extraterritorial jurisdiction without the criterion of double criminality over all crimes under the Optional Protocol. Please also advise whether the State Party includes offences under the Optional Protocol in existing or future extradition treaties with other States

10. Given that Vanuatu has the proper legislative framework that can facilitate the exercised of extraterritorial jurisdiction, there has not been an exercise in record in regards to criminality provision of the Optional Protocol in the 4 years.